



12 October 2017

Chairman Ajit Pai
Commissioner Mignon Clyburn
Commissioner Michael O'Rielly
Commissioner Brendan Carr
Commissioner Jessica Rosenworcel
c/o Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: ET Docket No. 14-165 and GN Docket Nos. 12-268 and
14-166 Via Electronic Filing

Dear Chairman Pai, Commissioner Clyburn, Commissioner O'Rielly, Commissioner Carr, Commissioner Rosenworcel, and Ms. Dortch:

I am writing to you on behalf 59E59 Theaters which offers over 1,000 performances, productions, readings, and educational programs each year to an audience of over 75,000 students and adults. I write with concern about available spectrum and protection for our wireless microphones and backstage communications devices.

59E59 THEATERS - MISSION STATEMENT

The Elysabeth Kleinhans Theatrical Foundation, a not-for-profit operating foundation, was set up to create a new, state-of-the-art theater complex to support the work of not-for-profit theater companies. The resulting complex, known as 59E59 Theaters, presents Off Broadway productions by not-for-profit companies from across the United States and around the world. 59E59 Theaters aims to provide a space for emerging and established not-for-profit theater companies to reach new audiences and expand the range of theater by bringing new, innovative and invigorating work to the underserved location on 59th Street between Park and Madison Avenues in Manhattan.

BRIAN BEIRNE
MANAGING DIRECTOR

THE ELYSABETH KLEINHANS
THEATRICAL FOUNDATION, INC
59E59 THEATERS

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We strongly support the Commission's proposal to expand Part 74 license eligibility to include persons and organizations that can demonstrate the need for professional, high-quality audio and have the capability of providing it through conscientious use of wireless microphones. We support and endorse the Comments filed in these dockets by The Performing Arts Wireless Microphone Working Group.

Professional performing arts organizations hold thousands of performances each year, and wireless microphones are essential to producing high-quality performances while mitigating significant public safety concerns. Professional wireless capability, with successful interference protection, is essential to our sector.

AS a venue that serves over 36 performing arts companies per year, we work with a diverse set of technical needs. While small plays generally require no amplification, many large plays and all musicals require complex amplification systems for the singers, actors and musicians. Equipment is rented from a variety of theatrical equipment vendors and is spec'd to meet the needs of each production.

I would urge the Commission to grant a Part 74 license if an applicant can provide certification of:

- A mission statement of providing performing arts to the public;
- A history of professional-quality wireless audio presentations to audiences without interference;
- Technical guidance and frequency coordination by qualified professionals (active in audio engineering who have academic degrees or equivalent professional experience and who are familiar with radio-frequency coordination);
- A commitment to register for protection only the frequencies, times, and locations actually needed; and
- A practice of keeping logs of all wireless microphone uses, including frequencies, for all performances.

We appreciate that the Commission has sought Public Comment on this critical issue. Without access to a reliable spectrum that provides protection from interference, our performances risk being less than professional! (If you purchase your own sound equipment add this sentence:

Sound equipment is expensive. If purchasing new equipment is an outcome, will the FCC be able to provide assurance that the new system will work properly without interference?

A recent study commissioned by New York City Department of Cultural Affairs called, ***The Social Well-Being of New York City's Neighborhoods*** led by Mark J. Stern and

Susan Seifert of the University of Pennsylvania, stated that, "across the board, cultural participation correlates with improved health, personal security and school effectiveness," leading to "greater measurable impact in social well-being." For this reason we respectfully endorse the Commission's proposal to expand Part 74 LPAS rules that will accommodate performing arts organizations and educational institutions that use fewer than 50 wireless microphones.

Sincerely,



Brian Beirne
Managing Director
59E59 Theaters